

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

MAINE COAST MEMORIAL  
HOSPITAL,

Plaintiff,

v.

KATHLEEN SEBELIUS, Secretary,  
U.S. Department of Health and  
Human Services,  
Defendant.

Civil No. 1:13-cv-00138-NT

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on November 13, 2013, her Recommended Decision (ECF No. 25). The Plaintiff filed its Objection to the Recommended Decision (ECF No. 26) on November 26, 2013. The Plaintiff filed her Response to the Defendant's objections (ECF No. 28) on December 12, 2013.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary. It is therefore ORDERED that:

1. The Recommended Decision of the Magistrate Judge is hereby AFFIRMED;
2. Plaintiff's Motion for Judgment on the Administrative Record (ECF No. 13) is DENIED;
3. The Defendant's Motion for Judgment on the Administrative Record (ECF No. 14) is GRANTED;
4. Plaintiff's Motion for Oral Argument (ECF. No 27) is DENIED;  
and,
5. The Secretary's administrative decision is hereby AFFIRMED.

SO ORDERED.

/s/ Nancy Torresen  
UNITED STATES DISTRICT JUDGE

Dated this 6<sup>th</sup> day of January, 2014.

**Plaintiff**

**MAINE COAST MEMORIAL  
HOSPITAL**

represented by **BENJAMIN E. FORD**  
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V.

**Defendant**

**KATHLEEN SEBELIUS**  
*Secretary, US Department of  
Health and Human Services*

represented by **EVAN J. ROTH**  
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